

Accordingly, claims 5-9, and 16-40 are currently pending, of which 5, 7, 16, 20 and 40 are independent.

Claims 5-9 and 16-38 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Mitanaga et al. (U.S. Patent No. 5,923,997). The rejection is respectfully traversed.

With respect to claim 5, Applicants respectfully submit that independent claim 5 has been amended to recite the step of removing the promoting material for facilitating crystallization on the semiconductor film. As amended, independent claim 5 and its dependent claims 6, and 24-28 distinguish over Mitanaga et al.

With respect claim 7, Applicants respectfully submit that the step of applying of catalytic element that uses a catalytic element dissolved or dispersed in a solution is claimed, as described in Embodiment 2 in the present application, is not disclosed in Mitanaga et al. as asserted by the Office. The Office Action recited column 3, lines 40-50 of Mitanaga et al. as disclosing the aforementioned step. However, it appears that the above-mentioned citation in the Mitanaga et al. reference is unrelated to the claimed step or has been taken out of context.

With respect to claims 5, 16 and 20, which have been amended to further recite a step of removing the Ge film after the heat treatment for crystallization of the semiconductor film comprising amorphous silicon, Applicants respectfully submit that amended claims 5, 16, and 20 distinguish over Mitanaga et al., as Mitanaga et al. do not disclose, suggest, or imply this step. Supported for the amendment of the step of removing the Ge film after heat treatment can be found in at least, e.g., page 9 lines 21 through 24 the specification.

As amended, independent claim 5 and its dependent claims 6 and 24-28, independent claim 16 and its dependent claims 17-19 and 29-33, and independent claim 20 and its dependent claims 21-23 and 34-38 distinguish over Mitanaga et al.

The Court of Appeals for the Federal Circuit has consistently held that "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick, 221 USPQ 481, 485 (Fed. Cir. 1984). Mitanaga et al. clearly fails to disclose steps positively recited and claimed in applicants' claims.

Claims 19 and 23 have been amended in response with the amendment of claims 16 and 20, respectively, to properly recite the order of the claimed steps. Newly added claims 39-40 incorporate the above-discussed amendments without adding new matters.

In view of the arguments set forth above, Applicants respectfully request the § 102(e) rejection of claims 5-10 and 16-38 be reconsidered and withdrawn.

CONCLUSION

Having responded to all rejections set forth in the outstanding non-final Office Action, it is submitted that claims 5-9 and 16-38 and new claims 39-40 are now in condition for allowance. An early and favorable Notice of Allowance is respectfully solicited. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, the Examiner is courteously requested to contact Applicants' undersigned representative.

Respectfully submitted,

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